

Docket No. 20206-26 (P003352)

**DECLARATION, POWER OF ATTORNEY AND PETITION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "**A METHOD OF MIXED WORKLOAD HIGH PERFORMANCE SCHEDULING**" the specification of which

is attached hereto  
 was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) or U.S. provisional application(s) for patent or inventor's certificate listed below and have also identified below any foreign application or U.S. provisional application(s) for patent or inventor's certificate having a filing date before that of the application of which priority is claimed.

**Prior Foreign/U.S. Provisional Application(s)**

			Priority Claimed	
(Number)	(Country)	(Day, month, year filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	Filing Date	(Status: Patented, pending, abandoned)
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(Application Serial No.)	Filing Date	(Status: Patented, pending, abandoned)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint ; W. POMS, REG. 18,782; G.P. SMITH, REG. 20,142; G. E. LANDE, REG. 22,222; A.C. ROSE, REG. 17,047; L.J. BOVASSO, REG. 24,075; C. BERMAN, REG. 29,249; D.J. OLDENKAMP, REG. 29,421; C. DARROW, REG. 30,166; M.E. HARRIS, REG. 26,690; K.A. MACLEAN, REG. 31,118; C. ROSENBERG, REG. 31,464; M.E. BROWN, REG. 30,006; Declaration, Power of Attorney and Petition

Docket No. 20206-13 (P0002956)

28,590; S.R. HANSEN, REG. 38,486; D.N. LARSON, REG. 29,401; J.W. INSKEEP, REG. 33,910; H.D. JASTRAM, REG. 19,777; B. CANTER, REG. 34,792; C.J. LERVICK, REG. 35,244; L. CULLMAN, REG. 39,645; C.A.S. HAMRICK, REG. 22,586; R.O. GUILLOT, REG. 28,852; J. BOYCE, REG. 40,920; C. CHOU, REG. 41,672; A.B. DIEPENBROCK III, REG. 39,960; M.K. BOSWORTH, REG. 28,186, L. SHERRY, REG. 43,918; L. McROSS, REG. 40,427; T. KHAN, REG. 46, 273, OPPENHEIMER WOLFF & DONNELLY LLP, 1400 Page Mill Road, Palo Alto, California 94304, (650) 320-4000, as my attorneys with full power of substitution and revocation, to prosecute said application and to transact in connection therewith all business in the Patent and Trademark Office and before competent International Authorities.

Address all telephone calls to Leah Sherry at (650) 320-4000 and address all correspondence to:

Leah Sherry, Esq.  
**OPPENHEIMER WOLFF & DONNELLY LLP**  
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1400 Page Mill Road  
Palo Alto, California 94304

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

Full Name of First Inventor: Gary Stephen Smith  
Home Address: 13900 Lake Valley Drive, Auburn, California 95602  
Post Office Address: Same as above  
Citizenship: United States of America  
Inventor's Signature: Gary Stephen Smith Date: March 29, 2001

Full Name of Second Inventor: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
Post Office Address: \_\_\_\_\_  
Citizenship: \_\_\_\_\_  
Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full Name of Third Inventor: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
Post Office Address: \_\_\_\_\_  
Citizenship: \_\_\_\_\_  
Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_